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Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554

In the Matter of )  
 )  
Billed Party Preference )  
for 0+ InterLATA Calls )  
 )  
 )  
Amendment of Commission's )  
Rules Relating to Disclosure )  
by Operator Services Providers )  
Serving Public Phones )

CC Docket No. 92-77

RM 8606

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COMMENTS OF BELL ATLANTIC

The plan submitted by Bell Atlantic<sup>1</sup> and a broad cross-section of the telecommunications industry for a rate ceiling for 0+ operator assisted calls is the best way for the Commission to deal with any continuing problems with rate-gouging carriers. It can achieve the primary goal of billed party preference at only a tiny fraction of the cost. The public would be able to benefit from this system almost immediately after it was adopted by the Commission, rather than having to wait more than three years for the full implementation of billed party preference.

NAAG proposes that the Commission require additional disclosures by carriers charging higher-than-normal rates. Bell Atlantic believes that this plan is better than billed party preference, but its failings make it inferior to its rate ceiling proposal. First, NAAG's proposal would rely for its success on the willing compliance by the very "bad actors" which created the problem in the first place. As the Commission has found in other

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<sup>1</sup> The Bell Atlantic telephone companies serving New Jersey, Pennsylvania, Delaware, Maryland, Virginia, West Virginia and the District of Columbia.

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contexts (e.g., payphone signage, OSP call branding and informational tariffs, initial announcements on pay-per-call services), the few providers whose prices are unreasonably high or practices are questionable often fail to comply with the disclosure obligations that already exist.

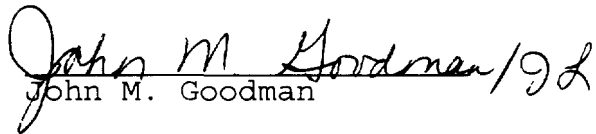
Under NAAG's plan, the only way for the Commission to deal with these providers would be through an after-the-fact complaint process. This process is not effective in curbing the abuses in this market, primarily because there are months, if not years, between the beginning of an offending practice and a final resolution by the Commission. While this process might eventually bring an individual malefactor into line, it would not be before the provider did its damage to the calling public. Processing individual subscriber complaints would also add to the burdens on the Commission. By contrast, enforcement under the rate ceiling proposal would be quick and would not have to wait for an outraged consumer to file a complaint or require years of litigation.

NAAG's brief description of its proposal does not address a number of detailed implementation questions. For example, what carriers will be required to play the announcement, will an announcement be required if the rate for one particular call happens to be higher but all the rest are lower, will AT&T be required to use an announcement if its intraLATA toll rates are higher than those of the exchange carrier, what phone company will the consumer call with questions. NAAG needs to provide

more detail on what it has in mind before the Commission can seriously consider its proposal.

For these reasons, Bell Atlantic urges the Commission to promptly initiate and conclude a proceeding to establish the rate ceiling described in its March 7 ex parte.

Respectfully submitted,

  
John M. Goodman

Attorney for the Bell Atlantic  
telephone companies

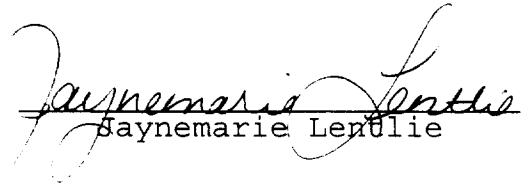
1133 20th Street, N.W.  
Washington, D.C. 20036  
(202) 392-1497

Edward D. Young, III  
Of Counsel

Dated: April 12, 1995

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing "Comments of Bell Atlantic" was served this 12th day of April, 1995 by first class mail, postage prepaid, on the parties on the attached list.

  
Saynemarie Lentlie

Policy and Program Planning \*  
Common Carrier Bureau  
Federal Communications Commission  
1919 M Street, N.W. Room 544  
Washington, D.C. 20554

(two copies)

ITS, Inc. \*  
1919 M Street, N.W.  
Room 246  
Washington, D.C. 20554

Mark Nadel \*  
Policy and Program Planning  
Common Carrier Bureau  
Federal Communications Commission  
1919 M Street, N.W. Room 544  
Washington, D.C. 20554

Edward J. Camp  
Adams County Detention Facility  
1901 East Bridge Street  
Brighton, CO 80601-1937

Barney C. Parrella  
Airports Assoc. Council Int'l  
1775 K Street, N.W.  
Suite 500  
Washington, D.C. 20006

Andrew D. Lipman  
Jean L. Kiddoo  
Ann P. Morton  
Swidler & Berlin  
3000 K Street, N.W.  
Suite 300  
Washington, D.C. 20007

Charles H. Helein  
America's Carriers  
Telecommunications Assoc.  
Helein & Waysdorf  
1850 M Street, N.W.  
Suite 500  
Washington, D.C. 20036

Sheldon Elliot Steinbach  
American Council on Education  
One Dupont Circle  
Washington, D.C. 20036

Amy S. Gross  
American Network Exchange, Inc.  
101 Park Avenue  
Suite 2507  
New York, N.Y. 10178

Albert H. Kramer  
Robert F. Aldrich  
Keck, Mahin & Cate  
Counsel for APCC  
1201 New York Avenue, N.W.  
Washington, D.C. 20005-3919

John T. Lenahan  
Frank M. Panek  
Larry A. Peck  
Ameritech Operating Cos  
2000 W. Ameritech Center Drive  
Room 4H86  
Hoffman Estates, IL 60196-1025

Brad E. Mutschelknaus  
Ann M. Plaza  
Wiley, Rein & Fielding  
1776 K Street, N.W.  
Washington, D.C. 20006

Paul J. Berman  
Alane C. Weixel  
Covington & Burling  
1201 Pennsylvania Avenue, N.W.  
P.O. Box 7566  
Washington, D.C. 20044-7566

Stanley F. Bates  
Arizona Department of Corrections  
1601 West Jefferson Street  
Phoenix, AZ 85007-3003

Carl L. Remmel  
Aspen/Pitkin County Airport  
0233 East Airport Road  
Aspen, CO 81611

Mark C. Rosenblum  
Robert J. McKee  
Richard H. Rubin  
AT&T Corporation  
Room 3254A2  
295 North Maple Avenue  
Basking Ridge, N.J. 07920

M. Robert Sutherland  
Richard M. Sbarratta  
Helen A. Shockey  
BellSouth Telecommunications, Inc.  
4300 Southern Bell Center  
675 West Peachtree Street, N.E.  
Atlanta, GA 30375

James R. Drach  
Captain/Jail Administrator  
Berrien County Sheriff Department  
919 Port Street  
St. Joseph, MI 49085

Kellie Phillips  
Call America  
4251 South Higuera  
San Luis Obispo, CA 93401

Randolph J. May  
Brian T. Ashby  
Sutherland, Asbill & Brennan  
1275 Pennsylvania Avenue, N.W.  
Washington, D.C. 20004-2404

Susan M. Shanaman  
Central Atlantic Payphone Assoc.  
21 North 4th Street  
Harrisburg, PA 17101

Jerry T. Beddow  
Cherokee Communications  
P.O. Box 549  
Jacksonville, TX 75766

John L. Kammerzell  
James P. Drury  
County Sheriffs of Colorado  
11160 North Huron  
Suite 31  
Northlenn, CO 80234

William D. Baskett III  
John K. Rose  
Frost & Jacobs  
2500 PNC Center  
201 East Fifth Street  
Cincinnati, OH 45202

Eugene F. Mullin  
Christopher A. Holt  
Mullin, Rhyne Emmons & Topel  
1225 Connecticut Avenue, N.W.  
Suite 300  
Washington, D.C. 20036-2604

Cherly A. Tritt  
Morrison & Foerster  
2000 Pennsylvania Avenue, N.W.  
Suite 5500  
Washington, D.C. 20006

Anthony Marquez  
Colorado Public Utilities Comm'n  
1580 Logan Street  
Office Level 2  
Denver, CO 80203

Bob Francisco  
Director of Student Life  
Colorado School of Mines  
1600 Maple Street  
Golden, CO 80401

Danny E. Adams  
Edward A. Yorkgitis, Jr.  
Wiley, Rein & Fielding  
1776 K Street, N.W.  
Washington, D.C. 20006

Genevieve Morelli  
CompTel Association  
1140 Connecticut Avenue, N.W.  
Suite 220  
Washington, D.C. 20036

Marianne A. Townsend  
Conquest Operator Services Corp.  
5500 Frantz Road  
Suite 125  
Dublin, OH 43017

Ellyn Elise Crutcher  
Consolidated Communications et al.  
121 South 17th Street  
Mattoon, IL 61938

John Russell  
President/CEO  
Days Inn  
339 Jefferson Road  
Parsippany, N.J. 07054

Kathleen M. Hawk  
Director, Federal Bureau of Prisons  
U.S. Department of Justice  
Washington, D.C. 20534

Harry K. Singletary, Jr.  
Florida Department of Corrections  
2601 Blair Stone Road  
Tallahassee, FL 32399-2500

Angela B. Green  
Florida Public Telecommunications  
Association, Inc.  
315 S. Calhoun Street, Suite 710  
Tallahassee, FL 32301

Carl R. Harbaugh  
Frederick County Sheriff's Office  
Courthouse, 100 W. Patrick Street  
Frederick, MD 21701

Glenn B. Manishin  
Neil S. Ende  
Blumenfeld & Cohen  
Counsel for Gateway Technologies  
1615 M Street, N.W.  
Suite 700  
Washington, D.C. 20036

Kathy L. Shobert  
Federal Regulatory Affairs  
General Communications, Inc.  
901 15th Street, N.W.  
Suite 900  
Washington, D.C. 20005

Keith J. McLean  
County of Georgetown  
Detention Center  
505 North Merriman Road  
Georgetown, S.C. 29440



Gail L. Polivy  
GTE Service Corporation  
1850 M Street, N.W.  
Suite 1200  
Washington, D.C. 20036

Stephen G. Kraskin  
Charles D. Cosson  
Kraskin & Associates  
Counsel for U.S. Intelco  
2120 L Street, N.W.  
Suite 810  
Washington, D.C. 20037

H.R. Gentsch  
President & CEO  
Harrisonville Telephone Co.  
213 S. Main Street  
P.O. Box 149  
Waterloo, IL 62298-0149

Michael H. Davis  
Holiday Inn  
Three Ravinia Drive  
Suite 2000  
Atlanta, GA 30346-2149

Eric E. Pfeffer  
President, COO  
Howard Johnson  
339 Jefferson Road  
Parsippany, N.J. 07054

Donald L. Howell, II  
Idaho Public Utilities Comm'n  
P.O. Box 83720  
Boise, ID 83720-0074

Albert H. Kramer  
David B. Jeppsen  
Keck, Mahin & Cate  
Counsel for Inmate Calling  
Services Providers Task Force  
1201 New York Avenue, N.W.  
Washington, D.C. 20005-3919

Judith S. Ledger-Roty  
John W. Hunter  
Reed Smith Shaw & McClay  
Counsel for Intellicall Cos.  
1200 18th Street, N.W.  
Washington, D.C. 20036

Walt Sapronov  
Charles A. Hudak  
Gerry, Friend & Sapronov  
Counsel for Interlink  
Suite 1450  
Three Ravinia Drive  
Atlanta, GA 30346-2131

James U. Troup  
Arter & Hadden  
Counsel for Iowa Network Services  
1801 K Street, N.W.  
Suite 400K  
Washington, D.C. 20006

Marlan Tevis  
Kane County Adult Corrections  
Center  
777 E. Fabyan Parkway  
Batavia, IL 60510

Commander Donald L. Fredenburg  
Kern County Sheriff Minimum  
Security Facility  
17635 Industrial Farm Road  
Bakersfield, CA 93308

Robert N. Broadbent  
McCarran International Airport  
Department of Aviation  
P.O. Box 11005  
Las Vegas, NV 89111-1005

Douglas F. Brent  
LDDS Communications, Inc.  
9300 Shelbyville Road  
Suite 700  
Louisville, KY 40222

Catherine R. Sloan  
Federal Affairs  
LDDS Communications, Inc.  
1825 I Street, N.W.  
Suite 400  
Washington, D.C. 20006

Douglas E. Neel  
Regulatory Affairs  
MessagePhone, Inc.  
5910 N. Central Expressway  
Suite 1575  
Dallas, TX 75206

James Tusso  
Larry K. Gander  
Grant Barrett  
Mendocino Cty Correctional Facility  
951 Low Gap Road  
Ukiah, CA 95482

Cindy Z. Schonhaut  
MFS Communications Co., Inc.  
3000 K Street, N.W.  
Suite 300  
Washington, D.C. 20007

Colleen M. Dale  
Missouri Public Service Comm'n  
P.O. Box 360  
Jefferson City, MO 65102

Gaines P. Sturdivant  
MMI Hotel Group  
P.O. Box 16807  
Jackson, MS 39236-6807

Anthony W. Pellicane  
Director of Corrections  
Monmouth County Department  
of Corrections  
1 Waterwork Road  
Freehold, N.J. 07728

Paul Rodgers  
Charles D. Gray  
James Bradford Ramsay  
NARUC  
1102 ICC Building  
P.O. Box 684  
Washington, D.C. 20044

Ronald J. Binz  
National Assoc. of State  
Utility Consumer Advocates  
1133 15th Street, N.W.  
Suite 575  
Washington, D.C. 20005

David Cosson  
NTCA  
2626 Pennsylvania Avenue, N.W.  
Washington, D.C. 20037

Randolph J. May  
Brian T. Ashby  
Sutherland, Asbill & Brennan  
Counsel for National Tele-Sav  
1275 Pennsylvania Avenue, N.W.  
Washington, D.C. 20004-2404

Vincent Townsend  
North Carolina Payphone Assoc.  
9 Oak Branch Drive  
Greensboro, N.C. 27407

Tim Schuetzle, Warden  
North Dakota State Penitentiary  
P.O. Box 5521  
Bismarck, N.D. 58502-5521

Walter L. Czerniak  
Northern Illinois University  
DeKalb, IL 60115-2854

Edward R. Wholl  
William J. Balcerski  
NYNEX  
120 Bloomingdale Road  
White Plains, N.Y. 10605

Mitchell F. Brecher  
Donelan, Cleary, Wood & Maser  
Counsel for Oncor Communications  
1275 K Street, N.W.  
Suite 850  
Washington, D.C. 20005-4078

Lisa M. Zaina  
OPASTCO  
21 Dupont Circle, N.W.  
Suite 700  
Washington, D.C. 20036

Nanci Adler  
Technologies Management, Inc.  
P.O. Draw 200  
Winter Park, FL 32790-0200

James P. Tuthill  
Nancy C. Woolf  
Pacific Bell & Nevada Bell  
140 New Montgomery Street  
Room 1523  
San Francisco, CA 94105

James L. Wurtz  
Pacific Bell & Nevada Bell  
1275 Pennsylvania Avenue, N.W.  
Washington, D.C. 20004

Vincent Townsend  
Pay Tel Communications  
P.O. Box 8179  
Greensboro, N.C. 27419

Paul C. Besozzi  
Besozzi, Gavin & Craven  
Counsel for Polar Communications  
and Digital Technologies  
1901 L Street, N.W.  
Suite 200  
Washington, D.C. 20036

Thomas M. Rice  
Charles E. Buchholz  
Debra Andrews  
Prairie Correctional Facility  
445 S. Munsterman  
P.O. Box 157  
Appleton, MN 56208-0157

Janice M. Doherty  
Public Payphones, Inc.  
119 Scully Drive  
Schaumburg, IL 60193

Trudi J. Renwick  
Public Utility Law Project of  
New York, Inc.  
Pieter Schuyler Financial Center  
39 Columbia Street  
Albany, N.Y. 12207-2717

James P. Elwood  
Director of Aviation  
City of Pueblo  
31201 Bryan Circle  
Pueblo, CO 81001

Dennis Kornwolf  
County Executive  
Racine County  
730 Wisconsin Avenue  
Racine, WI 53403

George A. Vose, Jr.  
Director  
Rhode Island Department of  
Corrections  
40 Howard Avenue  
Cranston, R.I. 02920

Gregg C. Sayre  
Rochester Telephone Corporation  
180 South Clinton Avenue  
Rochester, N.Y. 14646

Daniel J. & Elaine Rooks  
4250 Blackland Drive  
Marietta, GA 30067

John Wheat  
Salt Lake City Airport Authority  
AMF Box 22084  
Salt Lake City, UT 84122

Benjamin J. Griffin  
John W. Hunter  
Andrea S. Miano  
Reed Smith Shaw & McClay  
Counsel for South Carolina  
Div. of Information Resource  
Management  
1200 18th Street, N.W.  
Washington, D.C. 20036

Anne U. MacClintock  
Regulatory Affairs & Public Policy  
Southern New England Telephone  
227 Church Street  
New Haven, CT 06510

Robert M. Lynch  
Richard C. Hartgrove  
J. Paul Walters, Jr.  
Southwestern Bell Telephone Co.  
One Bell Center  
Room 3520  
St. Louis, MO 63101

Leon M. Kestenbaum  
Jay C. Keithley  
H. Richard Juhnke  
Sprint Corporation  
1850 M Street, N.W.  
Suite 1100  
Washington, D.C. 20036

Robert N. Weller  
Super 8 Motels, Inc.  
339 Jefferson Road  
Parsippany, N.J. 07054

J. Manning Lee  
Teleport Communication Group, Inc.  
2 Teleport Drive  
Staten Island, N.Y. 10311

Steven E. Swenson  
Teltrust, Inc.  
221 North Charles Lindbergh Drive  
Salt Lake City, UT 84116

Mary McDermott  
Linda Kent  
USTA  
1401 H Street, N.W.  
Suite 600  
Washington, D.C. 20005

Kenneth F. Melley, Jr.  
Director of Regulatory Affairs  
U.S. Long Distance, Inc.  
9311 San Pedro  
Suite 300  
San Antonio, TX 78216

Monique Byrnes  
Technologies Management, Inc.  
Consultant to U.S. Osiris Corp.  
P.O. Drawer 200  
Winter Park, FL 32790

General Counsel  
Value Added Communications  
17250 Dallas Parkway  
Dallas, TX 75248

Edward C. Addison  
Division of Communications  
Virginia State Corporation Comm'n  
P.O. Box 1197  
Richmond, VA 23209

James Myers  
Detention/Courts Bureau Chief  
Washoe County Detention Facility  
911 Parr Blvd.  
Reno, NV 89512

Mary J. Sisak  
Donald J. Elardo  
MCI Telecommunications Corp.  
1801 Pennsylvania Avenue, N.W.  
Washington, D.C. 20006

James E. Doyle  
Attorney General  
123 W. Washington Ave.  
P.O. 7857  
Madison, WI 53707